IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2201 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

VRUNDAVAN ICE CREAM

Versus

ANUPAMKUMAR THAKKAR

Appearance:

MR KM PATEL for Petitioner

MR RD RAVAL for Respondent No. 1

CORAM : MR.JUSTICE P.B.MAJMUDAR

Date of decision: 14/12/2000

ORAL JUDGEMENT

#. The petitioner - employer has filed this petition challenging the award of the Labour Court, Vadodara passed in Reference (LCV) No.46/92 by which the reference was partly allowed and the respondent - workman herein was ordered to be reinstated with 25% backwages.

#. Since the matter has been admitted, today by consent of the parties, it is taken up for final hearing.

#. Mr.Raval for the respondent - workman states that the

respondent - workman is willing to accept Rs.35,000/(Rupees Thirty Five Thousand Only) in all in lieu of his reinstatement and backwages as awarded by the Labour Court.

#. Mr.K.M.Patel, learned advocate appearing for the petitioner states that the petitioner is also willing to pay the aforesaid amount by way of settlement of entire dispute.

#. In view of the aforesaid consensus between the parties, impugned award dated 15.6.1999 of the Labour Court is modified and instead of reinstatement and 25% backwages, the petitioner will have to pay in all Rs.35,000/- (Rupees Thirty Five Thousand Only) to the respondent - workman which will satisfy the entire claim of the respondent - workman on receiving the said amount. It is clarified that, on receiving the aforesaid amount by the respondent - workman, all type of claims of the respondent - workman shall stands satisfied. Mr.Patel for the petitioner states that the amount of Rs.35,000/- will be paid to the respondent - workman by way of Cross Cheque on or before 31.12.2000.

#. The petition is accordingly partly allowed to the aforesaid extent. The award of the Labour Court is modified as stated above. There shall be no order as to costs.

(P.B.Majmudar,J)

(pathan)